

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** By Chairman Diane Rice on March 13, 2007 at 8:00 A.M., in Room 137 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Diane Rice, Chairman (R)  
Rep. Dave Gallik, Vice Chairman (D)  
Rep. Ron Stoker, Vice Chairman (R)  
Rep. Douglas Cordier (D)  
Rep. Robyn Driscoll (D)  
Rep. Bob Ebinger (D)  
Rep. George Everett (R)  
Rep. Julie French (D)  
Rep. Rick Jore (C)  
Rep. Krayton Kerns (R)  
Rep. Roger Koopman (R)  
Rep. Deborah Kottel (D)  
Rep. Tom McGillvray (R)  
Rep. Jesse O'Hara (R)  
Rep. Ken Peterson (R)  
Rep. Holly Raser (D)

**Members Excused:** None.

**Members Absent:** Rep. John Ward (R)

**Staff Present:** David Niss, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 124, SB 125, SB 130, SB 133, SB  
141, 3/6/2007  
Executive Action: None

**HEARING ON SB 133**

**Opening Statement by Sponsor:**

00:01:13 Sen. Jeff Essmann (R), SD 28, opened the hearing on SB 133, Generally revise exemptions from execution of judgment.

**Proponents' Testimony:**

00:05:28 Brian Salonen, Guardian Life Insurance Company  
[EXHIBIT\(juh53a01\)](#)  
00:07:23 Doug Lowney, National Association of Insurance and Financial Advisors  
00:10:27 John Kreidel, Vice-President, Northern Rockies Financial Group  
00:13:29 Peter Sullivan, Sullivan Insurance Group  
00:14:16 Larry Houser, Guardian Life Insurance Company  
00:15:49 Greg Van Horsen, State Farm Insurance, also for Al Smith, Montana Trial Lawyers Association  
00:16:37 Jacqueline Lenmark, American council of Life Insurers, American Insurance Association  
00:17:15 Nick Taber, Guardian Life Insurance Company  
00:17:30 Don Allen, National Association of Insurance and Financial Advisors

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:18:14 Rep. Koopman  
00:19:16 Sen. Essmann  
00:22:29 Ms. Lenmark  
00:24:05 Rep. Kottel  
00:24:27 Sen. Essmann  
00:24:36 Mr. Lowney  
00:32:46 Rep. Peterson  
00:33:21 Mr. Lowney

**Closing by Sponsor:**

00:34:05\_\_Sen. Essmann

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**HEARING ON SB 141**

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**Opening Statement by Sponsor:**

00:35:55 Sen. Jesse Laslovich (D), SD 43, opened the hearing on SB 141, Revise fingerprint and photo provisions of criminal justice information act.

**Proponents' Testimony:**

00:40:44 Ali Bovington, Assistant Attorney General, Department of Justice, State of Montana

[EXHIBIT\(juh53a02\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:44:12 Rep. Stoker  
00:44:48 Ms. Bovington  
00:48:05 Rep. Peterson  
00:48:38 Sen. Laslovich  
00:50:10 Rep. Stoker  
00:50:38 Ms. Bovington  
00:52:47 Rep. Ebinger  
00:53:00 Sen. Laslovich

**Closing by Sponsor:**

00:54:45 Sen. Laslovich

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**HEARING ON SB 124**

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**Opening Statement by Sponsor:**

00:55:52 Sen. Dan Harrington (D), SD 38, opened the hearing on SB 124, Cost for state hospital forensic commitment for court-ordered exam.

**Proponents' Testimony:**

00:58:48 Laurie Lamson, Director, Business and Financial Services Division, Department of Public Health and Human Services, State of Montana

[EXHIBIT\(juh53a03\)](#)

01:00:35 Ed Amberg, Director, Montana State Hospital, Warm Springs, Montana

01:02:35 Lois Menzies, Court Administrator, Montana Supreme Court, State of Montana

[EXHIBIT\(juh53a04\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:06:04 Sen. Harrington

**HEARING ON SB 125**

**Opening Statement by Sponsor:**

01:06:33 Sen. Dan Harrington (D), SD 38, opened the hearing on SB 125, State hospital forensic exam, treatment, commitment, transfer.

**Proponents' Testimony:**

01:09:17 Ed Amberg, Director, Montana State Hospital, Warm Springs, Montana

01:12:39 Virginia Hill, Forensic Psychiatrist, Montana State Hospital, Warm Springs, Montana

[EXHIBIT\(juh53a05\)](#)

01:15:22 Paulette Kohman, Attorney, Addictive and Mental Services Division, Department of Public Health and Human Services, State of Montana

[EXHIBIT\(juh53a06\)](#)

**Opponents' Testimony:** None

**Informational Testimony:**

01:26:59 Beth Brenneman, Attorney, Montana Advocacy Program

01:33:49 Marty Wangen, Montana Psychological Association

**Questions from Committee Members and Responses:**

01:34:14 Rep. French

01:34:52 Ms. Hill

01:41:12 Ms. Kohman

01:43:56 Rep. Stoker

01:44:51 Ms. Brenneman  
01:46:36 Rep. Rice  
01:47:03 Sen. Harrington

**Closing by Sponsor:**

01:47:20 Sen. Harrington  
  
01:47:52 Break  
02:01:44 Reconvene

**HEARING ON SB 130**

**Opening Statement by Sponsor:**

02:01:51 Sen. Bob Story (R), SD 30, opened the hearing on SB  
130, Revise laws governing governmental fire agencies.  
[\*\*EXHIBIT\(juh53a07\)\*\*](#)

**Proponents' Testimony:**

02:05:38 Randy Brodehl, Fire Chief, City of Kalispell,  
Kalispell, Montana  
02:06:12 Harold Blattie, Montana Association of Counties  
02:10:10 Craig Trapp, Fire Marshall, City of Helena, Helena,  
Montana  
02:10:31 Leonard Lundby, Fire Chief, Manchester Fire Department,  
Manchester, Montana, Montana State Volunteer  
Firefighters Association  
02:11:06 Janie McCall, City of Billings, Billings, Montana  
[\*\*EXHIBIT\(juh53a08\)\*\*](#)  
02:11:29 Jim Kembel, American Institute of Architects-Montana  
Chapter

**Opponents' Testimony:** None

**Informational Testimony:**

02:11:52 Nancy Butler, State Fund of Montana

**Questions from Committee Members and Responses:**

02:12:40 Rep. Cordier  
02:13:07 Sen. Story  
02:13:56 Mr. Blattie  
02:14:49 Rep. Jore  
02:16:10 Mr. Lundby

**Closing by Sponsor:**

02:17:47 Sen. Story

**Committee Business:**

02:19:13 Chairman Rice

02:20:14 Rep. Cordier

**ADJOURNMENT**

Adjournment: 10:21 A.M.

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REP. DIANE RICE, Chairman

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PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

**EXHIBIT ([juh53aad.pdf](#))**